

REMARKS

Favorable consideration and allowance of the subject application are respectfully solicited.

Claims 1-11, 13, 14, 16-26, 28, 29, 31, 35 and 38-45 are now pending in the application, with Claims 1, 10, 11, 14, 17, 26, 29, 35 and 44 being independent. Claims 36 and 37 have been cancelled without prejudice or disclaimer of the subject matter recited therein. Claims 1, 6, 10, 11, 13, 14, 16, 17, 22, 26, 28, 29, 31 and 35 have been amended and Claims 44 and 45 are newly-presented herein.

Support for the claim amendments can be found in the specification at least at page 21, lines 19-27.

In the Office Action dated August 7, 2006, Claims 1-11, 13, 14, 16-26, 28, 29, 31 and 35-43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,029,182 (Nehab et al.) in view of traditional client/server architecture (official notice). This rejection is again respectfully traversed.

As discussed previously, Nehab et al. is directed to a website data retrieval system including computing equipment 1, such as a personal computer. Provided within the computing equipment 1 is a web printer 17, which is an end-user application. Web printer 17 acquires personal-news-profile 19 from disk 5 and generates a personalized newspaper based on the personal-news-profile and outputs the newspaper to printer 7 or display 2 via output interface 40.

The news profile in Nehab et al. indicates what kind of news is to be laid out, that is, it indicates what kind of content is to be involved in an image. This is contrary to layout information necessary for assigning an image based on data to a recording medium having a predetermined size. That is not to say that the layout information indicates the size itself, but can designate the size or even a kind. The acquisition information is for acquiring the data and the layout information.

In Nehab et al., the personal-news-profile 19 includes information as to what sites to access for creating the personalized newspaper, what sections to retrieve from those sites, rules to be used to determine what data to extract from the sections and the articles therein, rules to determine how to exclude links, and newspaper format information. As an example, note Appendix 1 in Nehab et al.

In the present invention, the layout information can be transmitted to the external apparatus independently of the acquisition information. In Nehab et al., the personal-news-profile is the information itself for acquiring data. Note column 10, lines 60-63. Therefore, the personal-news-profile would correspond more closely to the acquisition information.

The layout information in the present invention can be sent from the image forming apparatus to the external apparatus. The personal-news-profile in Nehab et al. is acquired by the web printer 17 (Step S701 in Figure 7), but is not thereafter transmitted to an external apparatus. Even if the web printer 17 were construed to correspond to the external apparatus, then disk drive 5 would necessarily be construed to correspond to the

image forming apparatus. The disk driver 5, however, does not acquire data for output from the web printer.

Accordingly, Nehab et al. fails to disclose or suggest important features of the present invention recited independent Claims 1, 10, 17 and 35.

Independent Claims 11 and 26 are believed to be allowable for similar reasons. In addition, Nehab et al. is not believed to disclose or suggest layout information which is originally to assign an image to the recording medium having a first size is changed to that which is to assign an image to the recording medium having a second size, whereby the output data capable of being held in the second size is generated by an external apparatus. In Nehab et al., the matter capable of being edited is in the website at an access destination and is data to be searched on the website.

Independent Claims 14 and 29 are also patentable over Nehab et al. for some of the reasons discussed above. In addition, Nehab et al. does not disclose or suggest the details of the layout information recited therein.

Independent Claim 44 is based on Claim 1, but is directed to an image outputting apparatus, rather than an image forming apparatus. Nevertheless, independent Claim 44 is also believed to be patentable over Nehab et al. for similar reasons.

Accordingly, the independent claims are patentable over the citations of record. Reconsideration and withdrawal of the § 103 rejection are respectfully requested.

For the foregoing reasons, Applicant respectfully submits that the present invention is patentably defined by independent Claims 1, 10, 11, 14, 17, 26, 29, 35 and 44. Dependent Claims 2-9, 13, 16, 18-25, 28, 31, 38-43 and 45 are also allowable, in their own right, for defining features of the present invention in addition to those recited in their respective independent claims. Individual consideration of the dependent claims is requested.

Applicant submits that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the rejection set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Mark A. Williamson/

Mark A. Williamson
Attorney for Applicant
Registration No. 33,628

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

MAW/agm

DC_MAIN 266163v1